REMARKS

Reconsideration and reexamination of the application are requested. Claims 1-3 are amended. The amendments are supported by the original disclosure, for example page 10, line 14 to page 11, line 26; and Figures 2, 3, 4A and 4B. Claims 1-3 remain pending.

Applicants would like to thank the Examiner for the telephone interview on July 6, 2006 with Applicant's representative James Larson. During the interview, the claim amendments presented herein were discussed, and Applicants explained why the claims were patentable over Mukai and JP 08-332969. No agreement was reached concerning allowable subject matter, although it is Applicants understanding that the rejections under 35 USC 112, first paragraph, would be withdrawn.

35 USC 112, first paragraph, rejection

Claims 1-3 are rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse.

It is alleged that "a variable gain that is determined by the vehicle velocity signal" is not disclosed. The language in question has been removed from the claim, thereby making the rejection moot. However, the language in question is clearly supported by the original disclosure, for example Figures 3 and 4A and the accompanying description therefor, which describe gain K1 (which is variable as shown in Figure 4A) being determined by the vehicle velocity signal V.

It is also alleged that "a gain adjuster operational to increase the variable gain" is not disclosed. The language in question has been removed from the claim, thereby making the rejection moot. However, the language in question is clearly supported by the original disclosure, for example Figures 3 and 4B and the accompanying description therefor, which disclose a block 23c that determines a gain K2 which is added to the variable gain K1 (i.e. the variable gain K1 is increased). The rejection states "The velocity is not used to compute the gain.". To clarify the record, Applicants note that the claims did not recite that the velocity is used to "compute" the gain.

Withdrawal of the rejection is requested.

Prior art rejections

Claims 1-3 are rejected under 35 USC 102(b) as being anticipated by Mukai et al (US 5844387).

In addition, claims 1-3 are rejected under 35 USC 102(b) as being anticipated by Mukai (JP 08-332969).

Mukai '387 does not disclose an attenuator as recited in claim 1 that receives the deviation and adjusts the deviation by an attenuator gain, and that includes a first determinator that determines a first gain based on the vehicle velocity signal, a second determinator that determines a second gain based on a differential of the steering torque signal, and an adder that computes the attenuator gain by adding the first and second gains. Further, Mukai '387 does disclose a method as recited in claim 3 that includes adjusting the deviation with an attenuator gain, the attenuator gain being determined by a first gain based on the vehicle velocity signal, a second gain based on a differential of the steering torque signal, and computing the attenuator gain by adding the first and second gains.

The rejection does not specify with any particularity which element or feature in Mukai '387 is considered to be the previously claimed deviation adjuster or the gain adjuster. Mukai '387 does not disclose an attenuator as recited in claim 1, or adjusting the deviation with an attenuator gain that is determined in the manner recited in claim 3. In particular, Mukai '387 does not disclose first and second gains, nor the addition of the two gains to compute the attenuator gain.

Even if it is accurate to conclude that "the factor by which the difference between the currents is adjusted is called the "gain"", which Applicants traverse, Mukai '387 does not disclose an attenuator, nor an attenuator gain that is the sum of first and second gains.

Claims 1 and 3 are likewise patentable over JP '969. JP '969 does not disclose an attenuator as recited in claim 1 that receives the deviation and adjusts the deviation by an attenuator gain, and that includes a first determinator that determines a first gain based on the vehicle velocity signal, a second determinator that determines a second gain based on a differential of the steering torque signal, and an adder that computes the attenuator gain by adding the first and second gains. Further, JP '969 does disclose a method as recited in claim 3 that includes adjusting the deviation with an attenuator gain, the attenuator gain being determined by a first gain based on the vehicle velocity signal, a second gain based on a differential of the steering torque signal, and computing the attenuator gain by adding the first and second gains.

JP '969 contains what is referred to as an amendment means 31 shown in Figure 4. JP '969 discloses that the amendment means 31 memorizes the correspondence data of a vehicle speed signal VS and a correction factor HC, reads the correction factor HC corresponding to the vehicle speed signal VS, multiplies the correction factor HC by delta I, and supplies the amended deflection signal to the proportionality and the integral control means 32 (See paragraphs [0054] and [0055] of the English language translation filed on October 9, 2003).

The amendment means 31 in JP '969 does not determine a second gain based on a differential of the steering torque signal, and an adder that computes the attenuator gain by adding first and second gains, nor determining an attenuator gain by adding first and second gains.

In addition, Applicants traverse the Examiner's statements contained on page 5 of the office action regarding statements of intended use, as they may apply to claim 3. With respect to method claim 3, statements of intended use and method limitations clearly limit the method recited in claim 3.

For at least these reasons, claims 1 and 3 are patentable over Mukai '387 and JP '969. Claim 2 depends from claim 1 and is patentable for that reason alone and need not be separately distinguished.

In view of the above, early issuance of a notice of allowance is solicited. Any questions regarding this communication can be directed to the undersigned attorney, Curtis B. Hamre, Reg. No. 29,165 at (612) 455-3802.

Respectfully submitted,

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